

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DITECH FINANCIAL LLC, formerly
known as Green Tree Servicing LLC,

Plaintiff,

-against-

MEMORANDUM AND ORDER

15-cv-7078(FB)(SMG)

PARAMJIT SINGH, and PNC BANK
NATIONAL ASSOCIATION, successor
by merger to National City Bank,

Defendants.

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Appearances:

For the Plaintiff

Steven Rosenfeld, Esq.

Gross Polowy LLC

1775 Wehrle Dr Ste 100

Williamsville, NY 14221

BLOCK, Senior District Judge:

On September 6, 2017, Magistrate Judge Steven M. Gold issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s Motion for Default Judgment be granted, Plaintiff be awarded \$220,723.26 in outstanding principal, prejudgment interest thereon at a rate of 6.25% per annum calculated from May 1, 2010 until the date final judgment is entered, and costs in the amount of \$980, and that the Court enter a Judgement of Foreclosure and Sale in the form proposed by Plaintiff. No objections have been filed to date, and Defendants’ opportunity to object has passed.

Where there are no objections, the Court may adopt the R&R without de novo

review. *See Thomas v. Arn*, 474 U.S. 140, 149-50 (1985); *Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) (“Where parties receive clear notice of the consequences, failure timely to object to a magistrate’s report and recommendation operates as a waiver of further judicial review of the magistrate’s decision.”). The Court must conduct de novo review if it appears the magistrate judge may have committed plain error. *See Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000). No such error appears here. Accordingly, the Court adopts the R&R without de novo review and grants Plaintiff’s Motion for Default Judgment.

SO ORDERED

Brooklyn, New York
September 22, 2017

/s/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge